



LEGISLATIVE COUNCIL
MINUTES OF THE PROCEEDINGS
60TH PARLIAMENT
Nos. 89, 90 and 91

No. 89 — Tuesday, 29 October 2024

1 The President took the Chair at 12.03 pm, read the Prayer and made an Acknowledgement of Country.

2 **ASSENT TO ACTS** — The President read Messages from the Lieutenant-Governor informing the Council that he had, on the following dates, given the Royal Assent to the following Acts presented to him by the Clerk of the Parliaments:

On 22 October 2024 —

Constitution Amendment (SEC) Act 2024

Criminal Organisations Control Amendment Act 2024

Melbourne Convention and Exhibition Trust Amendment Act 2024.

On 29 October 2024 —

Health Legislation Amendment (Regulatory Reform) Act 2024

Short Stay Levy Act 2024.

3 **QUESTION TIME** —

QUESTIONS WITHOUT NOTICE AND MINISTERS' STATEMENTS — Members asked questions without notice and ministers made statements.

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QUESTIONS DIRECTED FOR WRITTEN RESPONSE — The President directed a minister to provide a written response to questions without notice pursuant to Standing Order 8.07 as follows:

- **Bow hunting (QwN 706)** — substantive and supplementary questions asked by Georgie Purcell — response from Gayle Tierney due Thursday, 31 October 2024.

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CONSTITUENCY QUESTIONS — Members asked constituency questions.

4 **PETITIONS** —

DESIST FROM HIGH-RISE HIGH-DENSITY ZONE PLANNING — David Davis presented a petition bearing 2,394 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to desist from the announced high-rise high-density zones and recommence proper discussions and consultation with local

communities and councils and heritage peak bodies in all ten affected zones prior to taking any further planning actions (*Ordered to be tabled*).

The petition having received the required number of signatures, David Davis listed the petition for future debate during Petitions (qualifying for debate).

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CEASE THE ROLLOUT OF THE RAINBOW LIBRARIES TOOLKIT — Bev McArthur presented a petition bearing 4,733 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to cease the rollout of the Rainbow Libraries Toolkit to Victorian public libraries (*Ordered to be tabled*).

The petition having received the required number of signatures, Bev McArthur listed the petition for future debate during Petitions (qualifying for debate).

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STOP THE DESTRUCTION AND PRIVATISATION OF PUBLIC HOUSING — Samantha Ratnam presented a petition bearing 403 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to immediately stop the wholesale destruction and privatisation of public housing and instead maintain existing public housing and build new public housing on public land (*Ordered to be tabled*).

5 PAPERS —

COMMITTEE REPORT — SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Pursuant to section 35 of the *Parliamentary Committees Act 2003*, Sonja Terpstra tabled Alert Digest No. 14 of 2024 (including Appendices) from the Scrutiny of Acts and Regulations Committee (*Ordered to be published*).

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PAPERS PRESENTED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following papers:

Alpine Resorts Victoria — Report, 2 October 2022 to 31 December 2023.

Crown Land (Reserves) Act 1978 — Order of 8 October 2024 giving approval to the granting of a licence at Waverley Park and Gardens Reserve.

Independent Broad-based Anti-corruption Commission — Report, 2023-24 (*Ordered to be published*).

Interpretation of Legislation Act 1984 —

Notice under section 32(3)(a)(iii) in relation to Statutory Rule No. 42 (*Gazette G43, 24 October 2024*).

Notices under section 32(4)(a)(iii) in relation to —

Environment Protection Regulations 2021 (*Gazette G42, 17 October 2024*).

EPA Designation — Classification of black coal fly ash (*Gazette G42, 17 October 2024*).

Occupational Health and Safety Act 2004 — Report of requests for the approval of persons or bodies by the Governor in Council, 2023-24, under section 11 of the Act.

Planning and Environment Act 1987 — Notices of approval of the —

Alpine Resorts Planning Scheme — Amendment C31.

Ballarat Planning Scheme — Amendment C245.

Bayside Planning Scheme — Amendment C199 (Part 1).

Boroondara Planning Scheme — Amendment C414.

Campaspe Planning Scheme — Amendment C125.

Darebin Planning Scheme — Amendment C223.

Frankston Planning Scheme — Amendment C158.

Hindmarsh Planning Scheme — Amendment C22.

Kingston Planning Scheme — Amendment C212.

Maribyrnong Planning Scheme — Amendments C185 and C187.

Moirra Planning Scheme — Amendment C93.

South Gippsland Planning Scheme — Amendment C129.

Stonnington Planning Scheme — Amendment C345.

Statutory Rules under the following Acts of Parliament —

Estate Agents Act 1980 — No. 114.

Local Government Act 2020 — No. 116.

Plant Biosecurity Act 2010 — No. 113.

Tobacco Act 1987 — No. 115.

Subordinate Legislation Act 1994 — Documents under section 15 in relation to Statutory Rule Nos. 103, 114 and 115.

Surveillance Devices Act 1999 —

Inspection Report by the Victorian Inspectorate on an irregular inspection of Independent Broad-based Anti-corruption Commission surveillance device records in May to June 2023.

Report, 2023-24, under section 30L of the Act, by the Game Management Authority.

Terrorism (Community Protection) Act 2003 — Report, 2023-24, under section 37F of the Act, by Victoria Police.

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PROCLAMATION — The Clerk tabled a proclamation of the Governor in Council fixing an operative date for the following Act:

Youth Justice Act 2024 — Chapter 20 and section 1 — 16 October 2024
(*Gazette S557, 15 October 2024*).

6 BUSINESS OF THE COUNCIL — Aiv Puglielli moved, by leave, That the following general business take precedence on Wednesday, 30 October 2024 —

- (1) notice of motion No. 639 standing in David Davis' name on the Victorian Energy Upgrade program;
- (2) notice of motion No. 498 standing in Georgie Crozier's name on staffing in public hospitals;
- (3) notice of motion No. 628 standing in Samantha Ratnam's name on the OFFICE report on public housing;
- (4) notice of motion given this day by Sarah Mansfield on coal and gas projects; and
- (5) notice of motion No. 624 standing in Rikkie-Lee Tyrrell's name on road conditions.

Question — put and agreed to.

7 MEMBERS' STATEMENTS — Members made statements.

8 BUSINESS POSTPONED — Ordered — That the consideration of notices of motion, government business, Nos. 278 to 657, be postponed until later this day.

9 DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT (PILL TESTING)

BILL 2024 — Debate resumed on the question, That the Bill be now read a second time.

Georgie Crozier (GC66C) circulated amendments proposed to be moved during Committee of the whole.

Question — put.

The Council divided — The President in the Chair.

AYES, 23

Ryan Batchelor; John Berger; Lizzie Blandthorn; Katherine Copsey; Enver Erdogan; Jacinta Ermacora; David Ettershank; Michael Galea; Shaun Leane; David Limbrick; Sarah Mansfield; Tom McIntosh; Rachel Payne; Aiv Puglielli; Georgie Purcell; Samantha Ratnam; Harriet Shing; Ingrid Stitt; Jaclyn Symes; Lee Tarlamis; Sonja Terpstra; Gayle Tierney; Sheena Watt.

(Recorded by Clerks-at-the-Table, pursuant to an order of the Council on 23 April 2020)

NOES, 16

Melina Bath; Jeff Bourman; Gaelle Broad; Georgie Crozier; David Davis; Moira Deeming; Renee Heath; Ann-Marie Hermans; Wendy Lovell; Trung Luu; Bev McArthur; Joe McCracken; Nick McGowan; Evan Mulholland; Rikkie-Lee Tyrrell; Richard Welch.

(Recorded by Clerks-at-the-Table, pursuant to an order of the Council on 23 April 2020)

Question agreed to.

Bill read a second time and committed to a Committee of the whole.

House in Committee.

[Sitting suspended from 6.30 pm to 7.30 pm]

Bill further considered in Committee of the whole.

Bill reported without amendment, the Report was adopted.

Ingrid Stitt moved, That the Bill be now read a third time and do pass.

Question — put.

The Council divided — The President in the Chair.

AYES, 23

Ryan Batchelor; John Berger; Lizzie Blandthorn; Katherine Copsey; Enver Erdogan; Jacinta Ermacora; David Ettershank; Michael Galea; Shaun Leane; David Limbrick; Sarah Mansfield; Tom McIntosh; Rachel Payne; Aiv Puglielli; Georgie Purcell; Samantha Ratnam; Harriet Shing; Ingrid Stitt; Jaclyn Symes; Lee Tarlamis; Sonja Terpstra; Gayle Tierney; Sheena Watt.

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Melina Bath; Jeff Bourman; Gaelle Broad; Georgie Crozier; David Davis; Moira Deeming; Renee Heath; Ann-Marie Hermans; Wendy Lovell; Trung Luu; Bev McArthur; Joe McCracken; Nick McGowan; Evan Mulholland; Rikkie-Lee Tyrrell; Richard Welch.

(Recorded by Clerks-at-the-Table, pursuant to an order of the Council on 23 April 2020)

Question agreed to.

Bill read a third time and passed.

Bill returned to the Assembly with a Message informing them that the Council have agreed to the Bill without amendment.

10 BUSINESS POSTPONED — Ordered — That the consideration of orders of the day, government business, Nos. 2 and 3, be postponed until later this day.

11 OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE AMENDMENT BILL 2024 — Debate resumed on the question, That the Bill be now read a second time.

Question — put.

The Council divided — The President in the Chair.

AYES, 34

Ryan Batchelor; Melina Bath; John Berger; Lizzie Blandthorn; Jeff Bourman; Gaelle Broad; Georgie Crozier; David Davis; Moira Deeming; Enver Erdogan; Jacinta Ermacora; David Ettershank; Michael Galea; Renee Heath; Ann-Marie Hermans; Shaun Leane; David Limbrick; Wendy Lovell; Trung Luu; Bev McArthur; Joe McCracken; Nick McGowan; Tom McIntosh; Evan Mulholland; Rachel Payne; Harriet Shing; Ingrid Stitt; Jaclyn Symes; Lee Tarlamis; Sonja Terpstra; Gayle Tierney; Rikkie-Lee Tyrrell; Sheena Watt; Richard Welch.

(Recorded by Clerks-at-the-Table, pursuant to an order of the Council on 23 April 2020)

NOES, 5

Katherine Copsey; Sarah Mansfield; Aiv Puglielli; Georgie Purcell; Samantha Ratnam.

(Recorded by Clerks-at-the-Table, pursuant to an order of the Council on 23 April 2020)

Question agreed to.

Bill read a second time and committed to a Committee of the whole.

House in Committee.

Business interrupted at 10.00 pm.

Ingrid Stitt declared, That the sitting be extended by up to one hour pursuant to Standing Order 4.08.

Bill further considered in Committee of the whole.

Bill reported without amendment, the Report was adopted, and the Bill was read a third time and passed.

Bill returned to the Assembly with a Message informing them that the Council have agreed to the Bill without amendment.

12 ADJOURNMENT — Ingrid Stitt moved, That the House do now adjourn.

Debate ensued.

The Council adjourned at 10.52 pm until tomorrow.

ROBERT McDONALD
Clerk of the Legislative Council

No. 90 — Wednesday, 30 October 2024

1 The President took the Chair at 9.32 am, read the Prayer and made an Acknowledgement of Country.

2 VOLUNTARY ASSISTED DYING AMENDMENT (EQUITY AND ACCESS) BILL 2024 — Sarah Mansfield introduced *A Bill for an Act to amend the Voluntary Assisted Dying Act 2017 to improve access to voluntary assisted dying and for other purposes.*

On the motion of Sarah Mansfield, the Bill was read a first time and ordered to be read a second time on the next day of meeting.

3 PAPERS —

PAPERS PRESENTED BY ORDER OF THE COUNCIL —

Wendy Lovell, by leave, presented the:

Department of the Legislative Council Report, 2023-24 (*Ordered to be tabled*).

Department of Parliamentary Services Report, 2023-24 (*Ordered to be tabled*).

David Ettershank, by leave, presented the Consultation Report on Medicinal Cannabis and Driving in Victoria: An Interim Proposal for Law Reform, October 2024 (*Ordered to be tabled*).

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PAPERS PRESENTED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following papers:

Major Events Act 2009 — Major Sporting Event Orders, of 29 October 2024, under section 22 of the Act, for the following 2024 to 2028 cricket matches —

International Test Cricket Matches to be held at the MCG.

One Day Internationals and Twenty20 Internationals to be held at Junction Oval.

One Day Internationals and Twenty20 Internationals to be held at Kardinia Park.

One Day Internationals and Twenty20 Internationals to be held at the MCG.

Twenty20 Domestic Cricket Matches (including Big Bash League and Women's Big Bash League) to be held at the MCG.

Twenty20 Domestic Matches (including BBL and WBBL) to be held at Docklands Stadium.

Twenty20 Domestic Matches (including BBL and WBBL) to be held at Junction Oval.

Twenty20 Domestic Matches (including BBL and WBBL) to be held at Kardinia Park.

Subordinate Legislation Act 1994 — Documents under section 15 in relation to Statutory Rule Nos. 109, 113 and 123.

Victorian Inspectorate — Report, 2023-24 (*Ordered to be published*).

4 COMMITTEE MEMBERSHIP — Sarah Mansfield moved, by leave, That Aiv Puglielli be a participating member of the Environment and Planning Standing Committee.

Question — put and agreed to.

5 MEMBERS' STATEMENTS — Members made statements.

6 PRODUCTION OF DOCUMENTS — ROAD AND RAIL BRIDGE INFRASTRUCTURE —

Moira Deeming moved, That this House —

(1) notes the challenges of objectively measuring and maintaining the safety of aging bridges is a critical issue that has been known about for over a decade and reported on many times including in the Victorian Auditor-General's December 2011 report, *Management of Road Bridges*;

(2) requires the Leader of the Government, in accordance with Standing Order 10.01, to table in the Council, within four weeks of the House agreeing to this resolution,

all documents relating to the management and safety of aging road and rail bridge infrastructure, including but not limited to —

- (a) the Government's internal or unpublished responses to the Auditor-General's report on *Management of Road Bridges*;
- (b) funding arrangement negotiations with the Commonwealth Government for the bridge renewal program from 2011 onwards;
- (c) changes in safety standards and safety inspections from 2011 onwards, including the organisations, representative bodies, or individuals who were consulted; and
- (d) the most recent indicative timeframes and associated changes in the risk for the replacement or renewal of road and rail bridge infrastructure, such as safety risk mitigation reports from independent auditors and internal experts.

Debate ensued.

The President advised that the total time allocated for debate, pursuant to Sessional Order 6, had elapsed.

Question — put and agreed to.

7 VICTORIAN ENERGY UPGRADE PROGRAM — David Davis moved, That this House —

- (1) notes the Government's mismanagement of its Victorian Energy Upgrade program, which has seen —
 - (a) Victorians paying up to three times more for a tonne of carbon dioxide removed from the atmosphere under the State's program compared with other equivalent schemes in other Australian jurisdictions;
 - (b) the total cost impact of the Victorian program on industry and consumers likely to hit \$652 million in 2024, representing a 30 per cent increase over just 12 months and a rise from \$88 million a decade ago;
 - (c) the Victorian Energy Efficiency Certificate become the most expensive in the country, at \$108.50 in October 2024;
 - (d) Victorian households pay \$188 per annum per household using 6,000 kilowatt hours of electricity per annum in green scheme bill payments, non-transparently incorporated in the energy bills of Victorian consumers;
 - (e) the Victorian Government deliver multiple refrigerators to the premises of individual small businesses as part of a rort;
 - (f) the Victorian scheme placed under review; and
- (2) condemns the Minister for Energy and Resources for her waste, incompetence and the additional load she has thoughtlessly placed on Victorian families during a cost-of-living crisis.

Debate ensued.

The President advised that the total time allocated for debate, pursuant to Sessional Order 3, had elapsed.

Question — put.

The Council divided — The President in the Chair.

AYES, 16

Melina Bath; Gaelle Broad; Georgie Crozier; David Davis; Moira Deeming; Renee Heath; Ann-Marie Hermans; David Limbrick; Wendy Lovell; Trung Luu; Bev McArthur; Joe McCracken; Nick McGowan; Evan Mulholland; Rikkie-Lee Tyrrell; Richard Welch.

(Recorded by Clerks-at-the-Table, pursuant to an order of the Council on 23 April 2020)

NOES, 22

Ryan Batchelor; John Berger; Lizzie Blandthorn; Katherine Copsey; Enver Erdogan; Jacinta Ermacora; David Ettershank; Michael Galea; Shaun Leane; Sarah Mansfield; Tom McIntosh; Rachel Payne; Aiv Puglielli; Georgie Purcell; Samantha Ratnam; Harriet Shing; Ingrid Stitt; Jaclyn Symes; Lee Tarlamis; Sonja Terpstra; Gayle Tierney; Sheena Watt.

(Recorded by Clerks-at-the-Table, pursuant to an order of the Council on 23 April 2020)

Question negated.

Business interrupted at 12.03 pm, pursuant to Sessional Orders.

8 QUESTION TIME —

QUESTIONS WITHOUT NOTICE AND MINISTERS' STATEMENTS — Members asked questions without notice and ministers made statements.

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QUESTIONS DIRECTED FOR WRITTEN RESPONSE — The President directed a minister to provide a written response to questions without notice pursuant to Standing Order 8.07 as follows:

- **First Home Owner Grant (QwN 713)** — substantive and supplementary questions asked by David Limbrick — response from Jaclyn Symes due Friday, 1 November 2024.

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CONSTITUENCY QUESTIONS — Members asked constituency questions.

9 BUSINESS POSTPONED — Ordered — That the consideration of notice of motion, general business, No. 498, be postponed until later this day.

10 OFFICE REPORT ON PUBLIC HOUSING — Samantha Ratnam moved, That this House acknowledges —

- (1) the release of OFFICE's report, *Retain Repair Reinvest, Flemington Estate: Feasibility Study and Alternative Design Proposal*;
- (2) that this report outlines a feasible alternative to the Government's current plan to demolish and privatise the high-rise public housing estate at the site of 120 Racecourse Road, Flemington;
- (3) the Repair Retain Reinvest approach outlined in the report could achieve a complete refurbishment of all homes, match the number of total dwellings proposed by the Government's plan, increase the net number of public homes, avoid the displacement of the estate's residents and save the Government \$364 million in costs at one site alone;
- (4) that the Government has refused to provide any public evidence or justification in over 12 months about why Victoria's 44 high-rise public housing estates need to be demolished;

and calls on the Labor Government to consider OFFICE's report and thoroughly consider all refurbishment and renovation options prior to any decisions about demolition and make the findings public.

Debate ensued.

The Acting President advised that the total time allocated for debate, pursuant to Sessional Order 3, had elapsed.

Question — put.

The Council divided — The President in the Chair.

AYES, 18

Melina Bath; Gaelle Broad; Katherine Copsey; Georgie Crozier; David Davis; Renee Heath; Ann-Marie Hermans; Wendy Lovell; Trung Luu; Sarah Mansfield; Bev McArthur; Joe McCracken; Nick McGowan; Evan Mulholland; Aiv Puglielli; Georgie Purcell; Samantha Ratnam; Richard Welch.

(Recorded by Clerks-at-the-Table, pursuant to an order of the Council on 23 April 2020)

NOES, 18

Ryan Batchelor; John Berger; Lizzie Blandthorn; Jeff Bourman; Enver Erdogan; Jacinta Ermacora; Michael Galea; Shaun Leane; David Limbrick; Tom McIntosh; Harriet Shing; Ingrid Stitt; Jaclyn Symes; Lee Tarlamis; Sonja Terpstra; Gayle Tierney; Rikkie-Lee Tyrrell; Sheena Watt.

(Recorded by Clerks-at-the-Table, pursuant to an order of the Council on 23 April 2020)

The Ayes and Noes being equal, the question was negated.

11 BUSINESS POSTPONED — Ordered — That the consideration of notice of motion, general business, No. 663, be postponed until later this day.

12 CONDITION OF VICTORIAN ROADS — Rikkie-Lee Tyrrell moved, That this House notes that —

- (1) under the Allan Labor Government Victoria has some of the worst road conditions in the country;
- (2) failure to repair roads in a timely manner has caused Victoria's road network to crumble;
- (3) the Allan Labor Government announced an investment of \$964 million to repair Victorian roads in the 2024-25 State Budget;
- (4) 70 per cent of this investment, being \$675 million, will be specifically spent on repairing roads in regional Victoria;
- (5) there is anecdotal evidence that previous work to repair Victorian roads has been sub-standard, with many roads needing new repairs after only a short period of time;

and calls on the Government to ensure that repairs undertaken during this latest road repair blitz are of the highest quality and standard to ensure that delivering Victorians world-standard road infrastructure.

Debate ensued.

Question — put.

The Council divided — The President in the Chair.

AYES, 17

Melina Bath; Jeff Bourman; Gaelle Broad; Georgie Crozier; David Davis; Moira Deeming; Renee Heath; Ann-Marie Hermans; David Limbrick; Wendy Lovell; Trung Luu; Bev McArthur; Joe McCracken; Nick McGowan; Evan Mulholland; Rikkie-Lee Tyrrell; Richard Welch.

(Recorded by Clerks-at-the-Table, pursuant to an order of the Council on 23 April 2020)

NOES, 17

Ryan Batchelor; John Berger; Lizzie Blandthorn; Enver Erdogan; Jacinta Ermacora; David Ettershank; Michael Galea; Shaun Leane; Tom McIntosh; Rachel Payne; Harriet Shing; Ingrid Stitt; Jaclyn Symes; Lee Tarlamis; Sonja Terpstra; Gayle Tierney; Sheena Watt.

(Recorded by Clerks-at-the-Table, pursuant to an order of the Council on 23 April 2020)

The Ayes and Noes being equal, the question was negatived.

13 STATEMENTS ON TABLED PAPERS AND PETITIONS — Members made statements on reports, papers and petitions.

14 PETITIONS (QUALIFYING FOR DEBATE) — SAVE THE INVERLOCH SURF LIFE SAVING CLUB — Melina Bath moved, That the petition be taken into consideration.

Debate ensued.

Question — put and agreed to.

15 ADJOURNMENT — Enver Erdogan moved, That the House do now adjourn.

Debate ensued.

The Council adjourned at 6.58 pm until tomorrow.

ROBERT McDONALD

Clerk of the Legislative Council

No. 91 — Thursday, 31 October 2024

1 The President took the Chair at 9.33 am, read the Prayer and made an Acknowledgement of Country.

2 PAPERS —

PAPERS PRESENTED BY ORDER OF THE COUNCIL —

Lizzie Blandthorn, by leave, presented the 2009 Victorian Bushfire Appeal Fund Final Report *(Ordered to be tabled)*.

Jaclyn Symes (for Enver Erdogan), by leave, presented the Victorian Veterans Council Report, 2023-24 *(Ordered to be tabled)*.

Jaclyn Symes, by leave, presented the:

Victorian Law Reform Commission Report, 2023-24 *(Ordered to be tabled and published)*.

Judicial College of Victoria Report, 2023-24 *(Ordered to be tabled)*.

Victoria Law Foundation Report, 2023-24 *(Ordered to be tabled)*.

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COMMITTEE REPORT — PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Pursuant to section 35 of the *Parliamentary Committees Act 2003*, Nick McGowan tabled a

Report on the Inquiry into the 2024-25 Budget Estimates (including an Appendix and a Minority Report) from the Public Accounts and Estimates Committee, and presented Transcripts of Evidence (*Transcripts of Evidence ordered to be tabled and the Report published*).

Nick McGowan moved, That the Council take note of the Report.

Debate ensued.

Question — put and agreed to.

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PAPERS PRESENTED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following papers:

Adult, Community and Further Education Board — Report, 2023-24.

Adult Parole Board of Victoria — Report, 2023-24.

Agriculture Victoria Services Pty Ltd — Report, 2023-24.

AMES Australia — Report, 2023-24.

Architects Registration Board of Victoria — Minister's report of receipt of the 2023-24 Report.

Australian Centre for the Moving Image (ACMI) — Report, 2023-24.

Ballarat General Cemeteries Trust — Report, 2023-24.

Barwon Region Water Corporation — Report, 2023-24.

Breakthrough Victoria Pty Ltd — Report, 2023-24.

Central Gippsland Region Water Corporation — Report, 2023-24.

Central Highlands Region Water Corporation — Report, 2023-24.

Cladding Safety Victoria — Report, 2023-24.

Coliban Region Water Corporation — Report, 2023-24.

Commission for Children and Young People — Report, 2023-24 (*Ordered to be published*).

Confiscation Act 1997 —

Asset Confiscation Operations — Report, 2023-24.

Report, 2023-24, under section 139A of the Act, by Victoria Police.

Coroners Court of Victoria — Report, 2023-24.

Coronial Council of Victoria — Report, 2023-24.

Crimes (Assumed Identities) Act 2004 — Report, 2023-24, under section 31 of the Act, by the Australian Criminal Intelligence Commission.

Criminal Organisations Control Act 2012 — Report, 2023-24, under section 133 of the Act, by Victoria Police.

Dairy Food Safety Victoria — Report, 2023-24.

Dental Health Services Victoria — Report, 2023-24.

Development Victoria — Report, 2023-24.

Disability Services Commissioner — Report, 2023-24.

Docklands Studios Melbourne Pty Ltd — Report, 2023-24.

East Gippsland Catchment Management Authority — Report, 2023-24.

Education Department — Report, 2023-24.

Emergency Services Superannuation Scheme (ESSSuper) — Report, 2023-24.

Energy, Environment and Climate Action Department (DECCA) — Report, 2023-24.

Energy Safe Victoria (ESV) — Report, 2023-24.

Essential Services Commission (ESC) — Report, 2023-24.

Evidence (Miscellaneous Provisions) Act 1958 — Reports, 2023-24, under section 42BI of the Act, by —

Australian Criminal Intelligence Commission.

Victoria Police.

Families, Fairness and Housing Department (DFFH) — Report, 2023-24.

Film Victoria (VicScreen) — Report, 2023-24.

Financial Management Act 1994 — Assistant Treasurer's report that the following 2023-24 Reports have not been received, under section 46(3) of the Act —

Albury Wodonga Health.

Alexandra District Hospital.

Alfred Health.

Alpine Health.

Ambulance Victoria.

Austin Health.

Australian Grand Prix Corporation.

Bairnsdale Regional Health Service.

Barwon Health.

Bass Coast Regional Health.

Beaufort and Skipton Health Service.

Beechworth Health Service.

Benalla Health.

Bendigo Health Care Group.

Boort District Health.

Calvary Health Care Bethlehem Limited.

Casterton Memorial Hospital.

Caulfield Racecourse Reserve Trust.

Cenitex.

Central Gippsland Health Service.

Central Highlands Rural Health.

Children's Court of Victoria.

Cohuna District Hospital.

Colac Area Health.

Commissioner for Environmental Sustainability.

Consumer Affairs Victoria.

Corangamite Catchment Management Authority.

Corryong Health.

Country Fire Authority.

County Court Victoria.

Court Services Victoria.

Crown Prosecutors.

Dhelkaya Health.

Dhelkunya Dja Traditional Owner Land Management Board.

Director of Public Prosecutions.

East Gippsland Water.

East Grampians Health Service.

East Wimmera Health Service.

Eastern Health.

Echuca Regional Health.
Environment Protection Authority.
Fire Rescue Victoria.
Fire Services Implementation Monitor.
Forensic Leave Panel.
Gippsland Southern Health Service.
Goulburn Valley Health.
Grampians Health.
Great Ocean Road Coast and Parks Authority.
Great Ocean Road Health.
Gunaikurnai Traditional Owner Land Management Board.
Harness Racing Victoria.
Heathcote Health Service.
Hesse Rural Health Service.
Heywood Rural Health.
Inglewood and Districts Health Service.
Kerang District Health.
Kilmore District Health.
Kooweerup Regional Health Service.
Kyabram and District Health Services.
Latrobe Regional Health.
Local Jobs First.
Magistrates' Court of Victoria.
Mallee Track Health and Community Service.
Mansfield District Hospital.
Marine and Coastal Council.
Maryborough District Health Service.
Melbourne Convention and Exhibition Trust.
Melbourne Health.
Mental Health and Wellbeing Commission.
Mercy Hospitals Victoria Limited.
Mildura Base Hospital.
Monash Health.
Moyne Health Services.
NCN Health.
Northeast Health Wangaratta.
Northern Health.
Office of Public Prosecutions.
Omeo District Health.
Orbost Regional Health.
Peninsula Health.
Peter MacCallum Cancer Institute.
Phillip Island Nature Park Board.
Portland District Health.
Puffing Billy Railway Board.
Recreational Fishing Licence Trust Account.
Remembrance Parks Central Victoria.

Residential Tenancies Bond Authority.
Robinvale District Health Services.
Rochester and Elmore District Health Service.
Rural Northwest Health.
Safe Transport Victoria.
Sentencing Advisory Council.
Seymour Health.
South Gippsland Hospital.
South West Healthcare.
St Vincent's Hospital (Melbourne) Limited.
Supreme Court of Victoria.
Surveyors Registration Board of Victoria.
Sustainability Victoria.
Swan Hill District Health.
Tallangatta Health Service.
Terang and Mortlake Health Service.
The Queen Elizabeth Centre.
The Royal Children's Hospital.
The Royal Victorian Eye and Ear Hospital.
The Royal Women's Hospital.
Timboon and District Healthcare Service.
Treaty Authority.
Triple Zero Victoria.
Trust for Nature.
Tweddle Child and Family Health Service.
VicForests.
Victims of Crime Commissioner.
Victorian Civil and Administrative Tribunal.
Victorian Environmental Assessment Council.
Victorian Fisheries Authority.
Victorian Health Promotion Foundation.
Victorian Institute of Forensic Medicine.
Victorian Institute of Forensic Mental Health.
Victorian Planning Authority.
Victorian Professional Standards Council.
Victorian Responsible Gambling Foundation.
Visit Victoria.
West Gippsland Healthcare Group.
West Wimmera Health Service.
Western District Health Service.
Western Health.
Yarram and District Health.
Yarrawonga Health.
Yea and District Memorial Hospital.
Yorta Yorta Traditional Owner Land Management Board.
Firefighters Registration Board — Report, 17 October 2023 to 30 June 2024.
Game Management Authority (GMA) — Report, 2023-24.

Geelong Cemeteries Trust — Report, 2023-24.
Geelong Performing Arts Centre Trust — Report, 2023-24.
Geoffrey Gardiner Dairy Foundation — Report, 2023-24.
Gippsland and Southern Rural Water Corporation — Report, 2023-24.
Glenelg Hopkins Catchment Management Authority — Report, 2023-24.
Goulburn Broken Catchment Management Authority — Report, 2023-24.
Goulburn-Murray Rural Water Corporation — Report, 2023-24.
Goulburn Valley Region Water Corporation — Report, 2023-24.
Government Services Department (DGS) — Report, 2023-24.
Grampians Wimmera Mallee Water Corporation (GWMWater) — Report, 2023-24.
Greater Metropolitan Cemeteries Trust — Report, 2023-24.
Greater Western Water Corporation — Report, 2023-24.
Greyhound Racing Victoria (GRV) — Report, 2023-24.
Health Department — Report, 2023-24.
Health Purchasing Victoria (HealthShare) — Report, 2023-24.
Infrastructure Victoria — Report, 2023-24.
Jobs, Skills, Industry and Regions Department (DJSIR) — Report, 2023-24.
Judicial Commission of Victoria — Report, 2023-24.
Justice and Community Safety Department (DJCS) — Report, 2023-24.
Kardinia Park Stadium Trust — Report, 2023-24.
Labour Hire Licensing Authority — Report, 2023-24.
LanguageLoop — Report, 2023-24.
Legal Practitioners' Liability Committee — Report, 2023-24.
Legal Services Council and Commissioner for Uniform Legal Services Regulation — Report, 2023-24.
Library Board of Victoria — Report, 2023-24.
Lower Murray Urban and Rural Water Corporation — Report, 2023-24.
Mallee Catchment Management Authority — Report, 2023-24.
Melbourne and Olympic Parks Trust — Report, 2023-24.
Melbourne Arts Precinct Corporation — Report, 2023-24.
Melbourne Market Authority — Report, 2023-24.
Melbourne Port Lessor Pty Ltd — Report, 2023-24.
Melbourne Recital Centre — Report, 2023-24.
Melbourne Water Corporation — Report, 2023-24.
Mental Health Tribunal — Report, 2023-24.
Mildura Cemeteries Trust — Minister's report of receipt of the 2023-24 Report.
Mine Land Rehabilitation Authority — Report, 2023-24.
Murray Valley Wine Grape Industry Development Committee — Minister's report of receipt of the 2023-24 Report.
Museums Board of Victoria — Report, 2023-24.
National Gallery of Victoria (NGV) — Report, 2023-24.
National Parks Advisory Council — Report, 2023-24.
North Central Catchment Management Authority — Report, 2023-24.
North East Catchment Management Authority — Report, 2023-24.
North East Link State Tolling Corporation — Report, 2023-24.
North East Region Water Corporation — Report, 2023-24.
Office of the National Rail Safety Regulator — Report, 2023-24.

Office of the Public Advocate — Report, 2023-24 (*Ordered to be published*).

Office of the Victorian Information Commissioner (OVIC) — Report, 2023-24.

Ombudsman — Report, 2023-24 (*Ordered to be published*).

Parks Victoria — Report, 2023-24.

Phytogene Pty Ltd — Minister's report of receipt of the 2023-24 Report.

Planning and Environment Act 1987 — Notice of approval of the Moonee Valley Planning Scheme — Amendment C238.

Police Registration and Services Board — Report, 2023-24.

Port of Hastings Corporation — Report, 2023-24.

Portable Long Service Benefits Authority — Report, 2023-24.

Ports Victoria — Report, 2023-24.

Post Sentence Authority — Report, 2023-24.

Premier and Cabinet Department — Report, 2023-24.

PrimeSafe — Report, 2023-24.

Public Interest Monitor — Report, 2023-24.

Public Record Office Victoria (PROV) — Report, 2023-24.

Queen Victoria Women's Centre Trust — Minister's report of receipt of the 2023-24 Report.

Recycling Victoria — Report, 2023-24.

Regional Development Victoria — Report, 2023-24.

Renewable Energy (Jobs and Investment) Act 2017 — Victorian Renewable Energy Target — 2023-24 Progress Report, under section 8 of the Act.

Respect Victoria — Report, 2023-24.

Rolling Stock Holdings (Victoria) Pty Limited — Report, 2023-24.

Rolling Stock (Victoria-VL) Pty Limited — Report, 2023-24.

Rolling Stock (VL-1) Pty Limited — Report, 2023-24.

Rolling Stock (VL-2) Pty Limited — Report, 2023-24.

Rolling Stock (VL-3) Pty Limited — Report, 2023-24.

Royal Botanic Gardens Board — Report, 2023-24.

Shrine of Remembrance Trustees — Report, 2023-24.

South East Water Corporation — Report, 2023-24.

South Gippsland Region Water Corporation — Report, 2023-24.

Southern Metropolitan Cemeteries Trust — Report, 2023-24.

State Sport Centres Trust — Report, 2023-24.

State Trustees Limited — Report, 2023-24.

Statutory Rules under the following Acts of Parliament —

 Bail Act 1977 — No. 117.

 Independent Broad-based Anti-corruption Commission Act 2011 — No. 118.

 Public Interest Monitor Act 2011 — No. 119.

 Terrorism (Community Protection) Act 2003 — No. 120.

 Victorian Energy Efficiency Target Act 2007 — No. 122.

 Victorian Inspectorate Act 2011 — No. 121.

 Wildlife Act 1975 — No. 123.

Subordinate Legislation Act 1994 — Documents under section 15 in relation to Statutory Rule No. 122.

Suburban Rail Loop Authority (SRL) — Report, 2023-24.

Surveillance Devices Act 1999 — Reports, 2023-24, under section 30L of the Act, by —
 Australian Criminal Intelligence Commission.
 Department of Energy, Environment and Climate Action.
 Victorian Fisheries Authority.
 Victoria Police.

Surveyor-General — Report, 2023-24 on the administration of the Survey Co-ordination Act 1958.

Transport Accident Commission (TAC) — Report, 2023-24.

Transport and Planning Department (DTP) — Report, 2023-24.

Treasury and Finance Department (DTF) — Report, 2023-24.

Treasury Corporation of Victoria — Report, 2023-24.

Veterinary Practitioners Registration Board of Victoria — Minister's report of receipt of the 2023-24 Report.

Victims of Crime Assistance Tribunal — Report, 2023-24.

Victoria Legal Aid — Report, 2023-24.

Victoria Police — Report, 2023-24.

Victoria State Emergency Service Authority (SES) — Report, 2023-24.

Victorian Academy of Teaching and Leadership — Report, 2023-24.

Victorian Arts Centre Trust — Report, 2023-24.

Victorian Assisted Reproductive Treatment Authority (VARTA) — Report, 2023-24.

Victorian Building Authority — Report, 2023-24.

Victorian Collaborative Centre for Mental Health and Wellbeing — Report, 2023-24.

Victorian Curriculum and Assessment Authority — Report, 2023-24.

Victorian Disability Worker Commission and Disability Worker Registration Board of Victoria — Report, 2023-24.

Victorian Electoral Commission — Report, 2023-24.

Victorian Environmental Water Holder — Report, 2023-24.

Victorian Equal Opportunity and Human Rights Commission — Report, 2023-24 (*Ordered to be published*).

Victorian Funds Management Corporation (VFMC) — Report, 2023-24.

V/Line Corporation — Report, 2023-24.

Victorian Government Purchasing Board — Report, 2023-24.

Victorian Institute of Sport Trust — Report, 2023-24.

Victorian Institute of Teaching — Report, 2023-24.

Victorian Law Reform Commission — Minister's report of receipt of the 2023-24 Report.

Victorian Legal Services Board and Legal Services Commissioner — Report, 2023-24 (*Ordered to be published*).

Victorian Managed Insurance Authority (VMIA) — Report, 2023-24.

Victorian Pharmacy Authority — Minister's report of receipt of the 2023-24 Report.

Victorian Plantations Corporation — Report, 2023-24.

Victorian Public Sector Commission — Report, 2023-24.

Victorian Racing Integrity Board — Report, 2023-24.

Victorian Rail Track (VicTrack) — Report, 2023-24.

Victorian Registration and Qualifications Authority — Report, 2023-24.

Victorian Small Business Commission — Report, 2023-24 (*Ordered to be published*).
 Victorian Strawberry Industry Development Committee — Minister's report of receipt of the 2023-24 Report.

Victorian Veterans Council — Minister's report of receipt of the 2023-24 Report.

Victorian WorkCover Authority (WorkSafe Victoria) — Report, 2023-24.

Wannon Region Water Corporation — Report, 2023-24.

West Gippsland Catchment Management Authority — Report, 2023-24.

Westernport Region Water Corporation — Report, 2023-24.

Wimmera Catchment Management Authority — Report, 2023-24.

Witness Protection Act 1991 — Report, 2023-24, under section 20R of the Act, by Victoria Police.

Workplace Incidents Consultative Committee — Report 2023-24, under section 126B of the Occupational Health and Safety Act 2004.

Workplace Injury Commission (Accident Compensation Conciliation Service) — Report, 2023-24.

Yarra Valley Water Corporation — Report, 2023-24.

Youth Parole Board — Report, 2023-24.

Zoological Parks and Gardens Board (Zoos Victoria) — Report, 2023-24.

- 3 PRODUCTION OF DOCUMENTS — BETTER REGULATION VICTORIA'S REVIEW OF VICTORIA'S APPROACH TO ILLICIT TOBACCO REGULATION** — In response to a resolution of the Council on 7 February 2024 (on the motion of David Limbrick), and further to the Government's initial responses on 5 March 2024 and 30 April 2024, relating to Better Regulation Victoria's Review of Victoria's approach to illicit tobacco regulation, the Clerk tabled —

- 129 documents in full and one document in part, together with schedules of the 138 documents identified within the scope of the order; and
- a letter from the Attorney-General, dated 28 October 2024, making a claim of executive privilege in relation to eight documents in full and one document in part.

- 4 SITTING OF THE COUNCIL** — Jaclyn Symes moved, That the Council, at its rising, adjourn until Tuesday, 12 November 2024.

Question — put and agreed to.

- 5 MEMBERS' STATEMENTS** — Members made statements.

- 6 BUSINESS POSTPONED** — Ordered — That the consideration of notices of motion, government business, Nos. 278 to 685, be postponed until later this day.

- 7 BUILDING LEGISLATION AMENDMENT AND OTHER MATTERS BILL 2024** — Debate resumed on the question, That the Bill be now read a second time.

David Davis (*DD146C*) and Sarah Mansfield (*SMA20C*) circulated amendments proposed to be moved during Committee of the whole.

Business interrupted at 12.00 noon.

- 8 QUESTION TIME** —

QUESTIONS WITHOUT NOTICE AND MINISTERS' STATEMENTS — Members asked questions without notice and ministers made statements.

QUESTIONS DIRECTED FOR WRITTEN RESPONSE — The President directed a minister to provide a written response to questions without notice pursuant to Standing Order 8.07 as follows:

- **PFAS contaminant thresholds (QwN 722)** — substantive and supplementary questions asked by Moira Deeming — response from Gayle Tierney due Monday, 4 November 2024.

* * * * *

CONSTITUENCY QUESTIONS — Members asked constituency questions.

9 BUILDING LEGISLATION AMENDMENT AND OTHER MATTERS BILL 2024 — Debate continued on the question, That the Bill be now read a second time.

Question — put.

The Council divided — The President in the Chair.

AYES, 21

Ryan Batchelor; John Berger; Katherine Copsey; Enver Erdogan; Jacinta Ermacora; David Ettershank; Michael Galea; Shaun Leane; Sarah Mansfield; Tom McIntosh; Rachel Payne; Aiv Puglielli; Georgie Purcell; Samantha Ratnam; Harriet Shing; Ingrid Stitt; Jaclyn Symes; Lee Tarlamis; Sonja Terpstra; Gayle Tierney; Sheena Watt.

(Recorded by Clerks-at-the-Table, pursuant to an order of the Council on 23 April 2020)

NOES, 16

Melina Bath; Jeff Bourman; Gaele Broad; Georgie Crozier; David Davis; Moira Deeming; Renee Heath; Ann-Marie Hermans; David Limbrick; Wendy Lovell; Trung Luu; Bev McArthur; Joe McCracken; Evan Mulholland; Rikkie-Lee Tyrrell; Richard Welch.

(Recorded by Clerks-at-the-Table, pursuant to an order of the Council on 23 April 2020)

Question agreed to.

David Davis moved, That this House requires the Environment and Planning Committee to inquire into, consider and report, by 26 November 2024, on the Building Legislation Amendment and Other Matters Bill 2024 and examine the cost impacts of the Bill on Victorian households and businesses, its impact on greenhouse gas emissions and its impact on the reliability and security of Victorian energy supplies.

Debate ensued.

Question — put.

The Council divided — The President in the Chair.

AYES, 16

Melina Bath; Jeff Bourman; Gaele Broad; Georgie Crozier; David Davis; Moira Deeming; Renee Heath; Ann-Marie Hermans; David Limbrick; Wendy Lovell; Trung Luu; Bev McArthur; Joe McCracken; Evan Mulholland; Rikkie-Lee Tyrrell; Richard Welch.

(Recorded by Clerks-at-the-Table, pursuant to an order of the Council on 23 April 2020)

NOES, 21

Ryan Batchelor; John Berger; Katherine Copsey; Enver Erdogan; Jacinta Ermacora; David Ettershank; Michael Galea; Shaun Leane; Sarah Mansfield; Tom McIntosh; Rachel Payne; Aiv Puglielli; Georgie Purcell; Samantha Ratnam; Harriet Shing; Ingrid Stitt; Jaclyn Symes; Lee Tarlamis; Sonja Terpstra; Gayle Tierney; Sheena Watt.

(Recorded by Clerks-at-the-Table, pursuant to an order of the Council on 23 April 2020)

Question negatived.

Bill committed to a Committee of the whole.

House in Committee.

Bill reported without amendment, the Report was adopted.

Harriet Shing moved, That the Bill be now read a third time and do pass.

Question — put.

The Council divided — The President in the Chair.

AYES, 21

Ryan Batchelor; John Berger; Katherine Copsey; Enver Erdogan; Jacinta Ermacora; David Ettershank; Michael Galea; Shaun Leane; Sarah Mansfield; Tom McIntosh; Rachel Payne; Aiv Puglielli; Georgie Purcell; Samantha Ratnam; Harriet Shing; Ingrid Stitt; Jaclyn Symes; Lee Tarlamis; Sonja Terpstra; Gayle Tierney; Sheena Watt.

(Recorded by Clerks-at-the-Table, pursuant to an order of the Council on 23 April 2020)

NOES, 16

Melina Bath; Jeff Bourman; Gaele Broad; Georgie Crozier; David Davis; Moira Deeming; Renee Heath; Ann-Marie Hermans; David Limbrick; Wendy Lovell; Trung Luu; Bev McArthur; Joe McCracken; Evan Mulholland; Rikkie-Lee Tyrrell; Richard Welch.

(Recorded by Clerks-at-the-Table, pursuant to an order of the Council on 23 April 2020)

Question agreed to.

Bill read a third time and passed.

Bill returned to the Assembly with a Message informing them that the Council have agreed to the Bill without amendment.

10 ROADS AND ROAD SAFETY LEGISLATION AMENDMENT BILL 2024 — Debate resumed on the question, That the Bill be now read a second time.

David Ettershank (*DE03C*) and Katherine Copsey (*KC36C*) circulated amendments proposed to be moved during Committee of the whole.

[Sitting suspended from 6.30 pm to 7.30 pm]

Debate continued.

Question — put and agreed to.

Bill read a second time.

The Acting President advised that the President ruled certain amendments proposed to be moved during Committee of the whole by David Ettershank (*DE03C*) are outside the scope of the Bill.

David Ettershank moved, That it be an instruction to the Committee that they have power to consider amendments and New Clauses to amend the *Road Safety Act 1986* to provide for discretion for a court in cancelling or disqualifying the licence or learner permit of a person who commits an offence against section 49(1)(bb), (h) or (i) of the *Road Safety Act 1986* if it relates to the use of a prescription drug which is a legal medicinal cannabis product.

Debate ensued.

Question — put and agreed to.

Bill committed to a Committee of the whole.

House in Committee.

Bill reported with amendments, the Report was adopted, and the Bill was read a third time and passed.

Bill returned to the Assembly with a Message informing them that the Council have agreed to the Bill with amendments and requesting their agreement.

- 11 AGRICULTURE AND FOOD SAFETY LEGISLATION AMENDMENT BILL 2024** — The Deputy President read a Message from the Assembly presenting *A Bill for an Act to amend the Dairy Act 2000, the Food Act 1984, the Meat Industry Act 1993 and the Seafood Safety Act 2003 and for other purposes* and requesting the agreement of the Council.

On the motion of Harriet Shing (for Jaclyn Symes), the Bill was read a first time and, by leave, ordered to be read a second time forthwith.

Harriet Shing laid on the Table the statement of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006*.

Harriet Shing moved, That the Bill be now read a second time.

Harriet Shing incorporated the second reading speech in Hansard.

On the motion of Georgie Crozier, the debate was adjourned for one week.

- 12 DUTIES AMENDMENT (MORE HOMES) BILL 2024** — The President read a Message from the Assembly presenting *A Bill for an Act to amend the Duties Act 2000 to introduce a temporary concession from duty for newly constructed dwellings in strata subdivisions and for other purposes* and requesting the agreement of the Council.

On the motion of Harriet Shing (for Jaclyn Symes), the Bill was read a first time and, by leave, ordered to be read a second time forthwith.

Harriet Shing laid on the Table the statement of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006*.

Harriet Shing moved, That the Bill be now read a second time.

Harriet Shing incorporated the second reading speech in Hansard.

On the motion of Georgie Crozier (for Evan Mulholland), the debate was adjourned for one week.

- 13 EDUCATION AND TRAINING REFORM AMENDMENT BILL 2024** — The President read a Message from the Assembly presenting *A Bill for an Act to amend the Education and Training Reform Act 2006 in relation to regulatory and enforcement matters and for other purposes* and requesting the agreement of the Council.

On the motion of Harriet Shing (for Gayle Tierney), the Bill was read a first time and, by leave, ordered to be read a second time forthwith.

Harriet Shing laid on the Table the statement of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006*.

Harriet Shing moved, That the Bill be now read a second time.

Harriet Shing incorporated the second reading speech in Hansard.

On the motion of Georgie Crozier, the debate was adjourned for one week.

- 14 TRANSPORT INFRASTRUCTURE AND PLANNING LEGISLATION AMENDMENT BILL 2024** — The President read a Message from the Assembly presenting *A Bill for an Act to amend the Major Transport Projects Facilitation Act 2009, the Planning and Environment Act 1987, the Road Management Act 2004, the Suburban Rail Loop*

Act 2021 and the Transport Integration Act 2010 and for other purposes and requesting the agreement of the Council.

On the motion of Harriet Shing, the Bill was read a first time and, by leave, ordered to be read a second time forthwith.

Harriet Shing laid on the Table the statement of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006*.

Harriet Shing moved, That the Bill be now read a second time.

Harriet Shing incorporated the second reading speech in Hansard.

On the motion of Evan Mulholland, the debate was adjourned for one week.

15 ADJOURNMENT — Harriet Shing moved, That the House do now adjourn.

Debate ensued.

The Council adjourned at 10.37 pm until Tuesday, 12 November 2024.

ROBERT McDONALD
Clerk of the Legislative Council

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COMMITTEE OF THE WHOLE COUNCIL

Supplement to Minutes Nos. 89, 90 and 91

DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT (PILL TESTING) BILL 2024

Committed Tuesday, 29 October 2024

Amendments circulated: Georgie Crozier (GC66C) (p. 808)

Clauses 1 to 3 — put and agreed to.

Clause 4 — Georgie Crozier moved amendment No. 1 (GC66C).

Question — That the amendment be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 15

Melina Bath; Jeff Bourman; Gaelle Broad; Georgie Crozier; David Davis; Renee Heath; Ann-Marie Hermans; Wendy Lovell; Trung Luu; Bev McArthur; Joe McCracken; Nick McGowan; Evan Mulholland; Rikkie-Lee Tyrrell; Richard Welch.

(Recorded by Clerks-at-the-Table, pursuant to an order of the Council on 23 April 2020)

NOES, 23

Ryan Batchelor; John Berger; Lizzie Blandthorn; Katherine Copsey; Enver Erdogan; Jacinta Ermacora; David Ettershank; Michael Galea; Shaun Leane; David Limbrick; Sarah Mansfield; Tom McIntosh; Rachel Payne; Aiv Puglielli; Georgie Purcell; Samantha Ratnam; Harriet Shing; Ingrid Stitt; Jaclyn Symes; Lee Tarlamis; Sonja Terpstra; Gayle Tierney; Sheena Watt.

(Recorded by Clerks-at-the-Table, pursuant to an order of the Council on 23 April 2020)

Question negated.

Clause 4 — put and agreed to.

Clauses 5 to 7 — put and agreed to.

Clause 8 — Georgie Crozier moved amendment Nos. 2 and 3 (GC66C).

Question — That the amendments be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 15

Melina Bath; Jeff Bourman; Gaelle Broad; Georgie Crozier; David Davis; Renee Heath; Ann-Marie Hermans; Wendy Lovell; Trung Luu; Bev McArthur; Joe McCracken; Nick McGowan; Evan Mulholland; Rikkie-Lee Tyrrell; Richard Welch.

(Recorded by Clerks-at-the-Table, pursuant to an order of the Council on 23 April 2020)

NOES, 23

Ryan Batchelor; John Berger; Lizzie Blandthorn; Katherine Copsey; Enver Erdogan; Jacinta Ermacora; David Ettershank; Michael Galea; Shaun Leane; David Limbrick; Sarah Mansfield; Tom McIntosh; Rachel Payne; Aiv Puglielli; Georgie Purcell; Samantha Ratnam; Harriet Shing; Ingrid Stitt; Jaclyn Symes; Lee Tarlamis; Sonja Terpstra; Gayle Tierney; Sheena Watt.

(Recorded by Clerks-at-the-Table, pursuant to an order of the Council on 23 April 2020)

Question negatived.

Clause 8 — put and agreed to.

Clauses 9 to 15 — put and agreed to.

Bill reported without amendment.

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OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE AMENDMENT BILL 2024

Committed Tuesday, 29 October 2024

Clauses 1 to 34 — put and agreed to.

Bill reported without amendment.

* * * * *

BUILDING LEGISLATION AMENDMENT AND OTHER MATTERS BILL 2024

Committed Thursday, 31 October 2024

Amendments circulated: David Davis (DD146C) (p. 808) and Sarah Mansfield (SMA20C) (p. 809)

Clause 1 — David Davis moved amendment No. 1 (DD146C).

Question — That the amendment be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 15

Melina Bath; Gaelle Broad; Georgie Crozier; David Davis; Moira Deeming; Renee Heath; Ann-Marie Hermans; David Limbrick; Wendy Lovell; Trung Luu; Bev McArthur; Joe McCracken; Evan Mulholland; Rikkie-Lee Tyrrell; Richard Welch.

(Recorded by Clerks-at-the-Table, pursuant to an order of the Council on 23 April 2020)

NOES, 21

Ryan Batchelor; John Berger; Katherine Copsey; Enver Erdogan; Jacinta Ermacora; David Ettershank; Michael Galea; Shaun Leane; Sarah Mansfield; Tom McIntosh; Rachel Payne; Aiv Puglielli; Georgie Purcell; Samantha Ratnam; Harriet Shing; Ingrid Stitt; Jaclyn Symes; Lee Tarlamis; Sonja Terpstra; Gayle Tierney; Sheena Watt.

(Recorded by Clerks-at-the-Table, pursuant to an order of the Council on 23 April 2020)

Question negatived.

Sarah Mansfield moved amendment No. 1 (SMA20C).

Question — That the amendment be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 6

Katherine Copsey; David Ettershank; Sarah Mansfield; Rachel Payne; Aiv Puglielli; Samantha Ratnam.

(Recorded by Clerks-at-the-Table, pursuant to an order of the Council on 23 April 2020)

NOES, 30

Ryan Batchelor; Melina Bath; John Berger; Gaelle Broad; Georgie Crozier; David Davis; Moira Deeming; Enver Erdogan; Jacinta Ermacora; Michael Galea; Renee Heath; Ann-Marie Hermans; Shaun Leane; David Limbrick; Wendy Lovell; Trung Luu; Bev McArthur; Joe McCracken; Tom McIntosh; Evan Mulholland; Georgie Purcell; Harriet Shing; Ingrid Stitt; Jaclyn Symes; Lee Tarlamis; Sonja Terpstra; Gayle Tierney; Rikkie-Lee Tyrrell; Sheena Watt; Richard Welch.

(Recorded by Clerks-at-the-Table, pursuant to an order of the Council on 23 April 2020)

Question negatived.

Clause 1 — put and agreed to.

Clauses 2 to 37 — put and agreed to.

Clauses 38 — David Davis moved amendment Nos. 2 and 3 (DD146C).

Question — That the amendments be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 15

Melina Bath; Gaelle Broad; Georgie Crozier; David Davis; Moira Deeming; Renee Heath; Ann-Marie Hermans; David Limbrick; Wendy Lovell; Trung Luu; Bev McArthur; Joe McCracken; Evan Mulholland; Rikkie-Lee Tyrrell; Richard Welch.

(Recorded by Clerks-at-the-Table, pursuant to an order of the Council on 23 April 2020)

NOES, 21

Ryan Batchelor; John Berger; Katherine Copsey; Enver Erdogan; Jacinta Ermacora; David Ettershank; Michael Galea; Shaun Leane; Sarah Mansfield; Tom McIntosh; Rachel Payne; Aiv Puglielli; Georgie Purcell; Samantha Ratnam; Harriet Shing; Ingrid Stitt; Jaclyn Symes; Lee Tarlamis; Sonja Terpstra; Gayle Tierney; Sheena Watt.

(Recorded by Clerks-at-the-Table, pursuant to an order of the Council on 23 April 2020)

Question negatived.

Clause 38 — Question — That clause 38 stand part of the Bill — put.

The Committee divided — The Deputy President in the Chair.

AYES, 21

Ryan Batchelor; John Berger; Katherine Copsey; David Ettershank; Enver Erdogan; Jacinta Ermacora; Michael Galea; Shaun Leane; Sarah Mansfield; Tom McIntosh; Rachel Payne; Aiv Puglielli; Georgie Purcell; Samantha Ratnam; Harriet Shing; Ingrid Stitt; Jaclyn Symes; Lee Tarlamis; Sonja Terpstra; Gayle Tierney; Sheena Watt.

(Recorded by Clerks-at-the-Table, pursuant to an order of the Council on 23 April 2020)

NOES, 16

Melina Bath; Jeff Bourman; Gaele Broad; Georgie Crozier; David Davis; Moira Deeming; Renee Heath; Ann-Marie Hermans; David Limbrick; Wendy Lovell; Trung Luu; Bev McArthur; Joe McCracken; Evan Mulholland; Rikkie-Lee Tyrrell; Richard Welch.

(Recorded by Clerks-at-the-Table, pursuant to an order of the Council on 23 April 2020)

Question agreed to.

Clauses 39 to 63 — put and agreed to.

Bill reported without amendment.

* * * * *

ROADS AND ROAD SAFETY LEGISLATION AMENDMENT BILL 2024

Committed Thursday, 31 October 2024

Amendments circulated: Katherine Copsey (KC36C) (pp. 809-11) and David Ettershank (DE03C) (pp. 811-12)

Clause 1 — David Ettershank moved amendment No. 1 (DE03C).

Question — That the amendment be agreed to — put and agreed to.

Clause 1, as amended — put and agreed to.

Clause 2 — David Ettershank moved amendment Nos. 2 to 4 (DE03C).

Question — That the amendments be agreed to — put and agreed to.

Clause 2, as amended — put and agreed to.

Clauses 3 to 9 — put and agreed to.

New Clause 9A — Katherine Copsey moved amendment No. 1 (KC36C).

Question — That New Clause 9A stand part of the Bill — put and agreed to.

New Clause 9B — Katherine Copsey moved amendment No. 2 (KC36C).

Question — That New Clause 9B stand part of the Bill — put and negatived.

Clauses 10 to 42 — put and agreed to.

New Clauses 42A to 42D — David Ettershank moved amendment No. 5 (*DE03C*).

Question — That New Clauses 42A to 42D stand part of the Bill — put and agreed to.

Clauses 43 to 51 — put and agreed to.

Bill reported with amendments.

AMENDMENTS CIRCULATED IN RELATION TO —**1. DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT (PILL TESTING) BILL 2024***Amendments circulated by Georgie Crozier (GC66C)*

1. Clause 4, page 4, after line 8 insert—

"(ab) information about the limitations of analysis that has been carried out on a substance, including information about the possibility that poisons, controlled substances and drugs of dependence may be present in the substance but in levels that are not detectable; or".

2. Clause 8, page 13, line 7, omit "disposal." and insert "disposal; and".

3. Clause 8, page 13, after line 7 insert—

"(e) that the holder of the permit must ensure that a person who, in the course of providing drug-checking services under the permit, provides another person information described in paragraph (a), (ab) or (b) of the definition of **harm reduction information** also informs that other person of the effect of section 22CH(2).

Note

Section 22CH(2) provides that the holder of the permit, and each general drug-checking worker or special drug-checking worker, along with certain other persons, are not subject to any civil liability for acts and omissions that meet the criteria set out in that provision."

2. BUILDING LEGISLATION AMENDMENT AND OTHER MATTERS BILL 2024*Amendments circulated by David Davis (DD146C)*

1. Clause 1, page 3, line 17, after "appliances" insert "except for gas cook tops, gas cookers or other gas cooking appliances".
2. Clause 38, line 24, before "prohibiting" insert "except for connecting reticulated gas for the purposes of a gas cook top, gas cooker or other gas cooking appliance,".
3. Clause 38, line 31, before "prohibiting" insert "except for the installation or replacement of a reticulated gas appliance or class of reticulated gas appliance that is a gas cook top, gas cooker or other gas cooking appliance or class of gas cook top, gas cooker or other gas cooking appliance,".

Amendments circulated by Sarah Mansfield (SMA20C)

1. Clause 1, page 3, line 17, after "appliances" insert "or prohibiting the installation or building of solid fuel burning appliances".
2. Clause 24, page 19, after line 7 insert—

'(4) In section 3(1) of the **Building Act 1993** insert the following definition—

"solid fuel burning appliance means a fireplace insert, woodstove, pellet stove, wood-fired furnace or other solid fuel burning appliance or device, which is to be used for heating a building, heating water in a building or cooking in a building;".'
3. Clause 38, page 23, line 5, omit 'construction;".' and insert "construction;".
4. Clause 38, page 23, after line 5 insert—

"(fc) prohibiting the installation of a solid fuel burning appliance or a solid fuel burning appliance in a class of solid fuel burning appliance in an existing building or a building under construction or in a building in a class of existing building or a class of building under construction;".

NEW CLAUSE

5. Insert the following New Clause to follow clause 39—

'39A General regulation-making powers

After section 261(1)(t) of the **Building Act 1993** insert—

"(ta) prohibiting the carrying out of building work in relation to installing a solid fuel burning appliance or a solid fuel burning appliance in a class of solid fuel burning appliance in an existing building or a building under construction or in a building in a class of existing building or a class of building under construction;".'

3. ROADS AND ROAD SAFETY LEGISLATION AMENDMENT BILL 2024Amendments circulated by Katherine Copsey (KC36C)

NEW CLAUSE

1. Insert the following New Clause to follow clause 9—

'9A New section 99D inserted

After section 99C of the **Road Safety Act 1986** insert—

"99D Reporting incidence of camera detected no-truck zone offences

(1) As soon as practicable after the end of each calendar year elapsing during the reporting period, the Minister must cause to be published on the

Department's Internet site the following information in respect of that year—

- (a) the number of heavy vehicles detected in a no-truck zone by a prescribed no-truck zone camera; and
- (b) the number of alleged camera detected no-truck zone offences for which an official warning was served; and
- (c) the number of alleged camera detected no-truck zone offences for which an infringement notice was served; and
- (d) of the alleged camera detected no-truck zone offences for which a proceeding was commenced in a court, the number within each of the following classes—
 - (i) a penalty was imposed;
 - (ii) a community correction order was imposed;
 - (iii) any other sentence was imposed;
 - (iv) the accused in the proceeding was found not guilty of an offence against section 65BA(1);
 - (v) the proceeding was withdrawn or dismissed for any reason; and
- (e) the number of alleged camera detected no-truck zone offences to which an exception under section 65BA(2) applied; and
- (f) the prescribed matters (if any).

(2) In this section—

camera detected no-truck zone offence means an offence against section 65BA(1) detected by a prescribed no-truck zone camera;

community correction order has the same meaning as in section 3(1) of the **Sentencing Act 1991**;

official warning has the same meaning as in section 3(1) of the **Infringements Act 2006**;

reporting period means the period of five calendar years commencing on 1 January following the day on which this section comes into operation.

(3) This section is **repealed** on the seventh anniversary of the day on which it comes into operation."

NEW CLAUSE

2. Insert the following New Clause before Division 2 of Part 2—

'9B Reporting incidence of camera detected no-truck zone offences

After section 99D(1)(c) of the **Road Safety Act 1986** insert—

"(ca) of the alleged camera detected no-truck zone offences for which an infringement notice was served, the number within each of the following classes—

- (i) the infringement penalty was paid;
- (ii) the infringement notice was withdrawn for any reason;
- (iii) a proceeding was commenced; and".

Amendments circulated by David Ettershank (DE03C)

1. Clause 1, page 2, after line 14 insert—

"(va) to provide for discretion for a court in cancelling or disqualifying the licence or learner permit of a person who commits an offence against section 49(1)(bb), (h) or (i) of the **Road Safety Act 1986** if it relates to the use of a prescription drug which is a legal medicinal cannabis product;"

2. Clause 2, line 6, omit "subsection (3)" and insert "subsections (2A) and (3)".
3. Clause 2, after line 8 insert—

"(2A) If Division 6 of Part 2 does not come into operation before 1 March 2025, it comes into operation on that day."

4. Clause 2, line 9, after "this Act" insert "(other than Division 6 of Part 2)".

NEW CLAUSES

5. Insert the following New Division to follow clause 42—

'Division 6—Use of a prescription drug which is a legal medicinal cannabis product

42A Definitions

In section 3(1) of the **Road Safety Act 1986**, in the definition of **drug-driving infringement**, after "(1E)" insert "or (1F)".

42B Provisions about cancellation and disqualification

- (1) In section 50(1E) of the **Road Safety Act 1986**, for "On convicting" substitute "Subject to subsection (1F), on convicting".

- (2) After section 50(1E) of the **Road Safety Act 1986** insert—

"(1F) If an offence under section 49(1)(bb), (h) or (i) is in relation to the use of a prescription drug that is a legal medicinal cannabis product by a person in accordance with a prescription or other authority, on convicting the person, or finding the person guilty of an offence under section 49(1)(bb), (h) or (i)—

- (a) subsection (1E) does not apply; and
- (b) the court may, if the offender holds a driver licence or learner permit, cancel that licence or permit and, whether or not the

offender holds a driver licence or learner permit, disqualify the offender from obtaining one for—

- (i) in the case of a first offence, a period not less than 6 months; and
- (ii) in the case of a subsequent offence, a period not less than 12 months."

42C Previous convictions

In section 50AA of the **Road Safety Act 1986** in item 4 of the Table, for "and (1E)" **substitute** ", (1E) and (1F)".

42D New section 58BA inserted

After section 58B of the **Road Safety Act 1986** insert—

"58BA Review of amendments made by Division 6 of Part 2 of the Roads and Roads Safety Legislation Amendment Act 2024

- (1) The Minister must cause a review to be conducted of the operation of the amendments made to this Act by Division 6 of Part 2 of the **Roads and Roads Safety Legislation Amendment Act 2024**.
- (2) The review must be commenced after the second anniversary of the commencement of Division 6 of Part 2 of the **Roads and Roads Safety Legislation Amendment Act 2024**.
- (3) The Minister must cause a copy of the review to be laid before each House of the Parliament no later than 3 years after the commencement of Division 6 of Part 2 of the **Roads and Roads Safety Legislation Amendment Act 2024**."